

REMARKS

Claims 1, 4-7, 10-12, and 15-17 are amended. Claims 2, 3, 8, 9, 13, 14, and 18 are canceled. Claims 1, 4-7, 10-12, and 15-17 remain in the Application. Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

I. Claims Rejections Under 35 U.S.C. §101

Claims 7 and 9-11 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants amend paragraphs 23 and 24 of the specification to remove references to media forms which are considered non-statutory by the Examiner. Withdrawal of the §101 rejection of Claims 7 and 9-11 is respectfully requested.

II. Claims Rejections Under 35 U.S.C. §103(a)

Claims 1, 3-7, 9-12, and 14-18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,682,273 issued to Hetzler (“*Hetzler*”) in view of U.S. Patent No. 5,636,355 issued to Ramakrishnan et al. (“*Ramakrishnan*”).

To establish a *prima facie* case of obviousness, the relied upon references must teach or suggest every limitation of the claim such that the invention as a whole would have been obvious at the time the invention was made to one skilled in the art.

With respect to independent Claim 1, Claim 1 as amended recites the elements of:

“detecting an activation of an input device of a computing system;

in response to detecting the activation, spinning up a hard disk coupled to the computing system in anticipation of a read request or a write request that has not yet been generated.”

Applicant submits that *Hetzler* in view of *Ramakrishnan* does not teach or suggest these elements.

Hetzler discloses a disk drive system that enters and exits a power-save mode based on a history of access patterns, i.e., the history of requests to read or write data and/or move the actuator of the disk drive (col. 2, lines 31-33). The access patterns are unrelated to the activation of an input device of a computing system, and an access may occur regardless

whether the input device of the computing system is activated or not. An access to the disk drive may occur in response to a command received from an input device or may alternatively occur in a batch-mode processing when the input device is not activated. Thus, in *Hetzler*, the hard disk is spun up in response to an event (i.e., the access pattern) unrelated to the activation of an input device of a computing system to which the hard disk is coupled.

In the rejection of Claims 4-6, the Examiner points to the interface controller 13 of *Hetzler* as the controller that handles the communication with the disk drive. However, *Hetzler* is entirely silent on the interface controller 13 operations when an input device of the associated computer 13 is activated. Figure 1 of *Hetzler* merely shows that the interface controller 13 connects input devices of the computer with the disk drive system. A skilled person in the art would understand *Hetzler*'s disclosure as spinning up the disk drive when an actual read/write is received through the input devices of the computer 13. *Hetzler* does not teach or suggest that an "activation" of an input device of the computer causes the disk drive to spin up in anticipation of a read/write request that has not yet been generated.

Ramakrishnan does not cure this deficiency. *Ramakrishnan* does not disclose spinning up a hard disk in response to detecting an activation of an input device of a computing system to which the hard disk is coupled. Rather, *Ramakrishnan* discloses cache purging operations unrelated to the activation of an input device. Thus, the Examiner has not identified and Applicants have been unable to discern any part of the cited references that teaches or suggests the activation of an input device in connection with spinning up the hard disk. Thus, *Hetzler* in view of *Ramakrishnan* does not teach or suggest each of the elements of amended Claim 1.

Analogous discussions apply to independent Claims 7 and 12. Claims 3-6, 9-11 and 14-17 depend from Claims 1, 7 and 12, respectively, and incorporate the limitations thereof. For at least the reasons stated above, Claims 3-6, 9-11, and 14-17 are patentable over the cited prior art. Accordingly, reconsideration and withdrawal of the §103 rejections of Claims 1, 3-7, 9-12, and 14-17 are respectfully requested.

CONCLUSION

In view of the foregoing, it is believed that all pending claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

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Amber D. Saunders 12/29/06

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Date